

KILLEEN POLICE DEPARTMENT GENERAL ORDERS, POLICIES AND PROCEDURES

Part B – Enforcement Operations

Document Title: **Vehicle Pursuit Policy**

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Authority: Charles Kimble, Chief of Police

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.01 Purpose

The purpose of this general order is to ensure the safety of both our citizens and our officers through the establishment of appropriate guidelines for vehicular pursuits, and to maintain effective reporting procedures related to pursuits.

.02 Policy

Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, officers and suspects involved in the pursuit. It is the policy of this department to protect all lives to the extent reasonably possible when enforcing the law. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. To effect these obligations, it shall be the policy of the department to narrowly regulate the manner in which vehicular pursuit is undertaken and performed.

.03 Definitions

- A. Vehicular Pursuit – Active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics.
- B. Authorized Emergency Vehicles – Police vehicles that are normally used for patrol duties, clearly marked as a Killeen Police Department vehicle and equipped with operational emergency lights and siren. In addition to these requirements, all Authorized Emergency Vehicles will also be equipped with an operational in-car camera system. Only authorized emergency vehicles shall engage in pursuits (an exception to the in-car video requirement for may be approved by a supervisor on a case by case basis if a body-worn camera option is available and considered to be adequate at that time). **41.2.2e**

.04 Procedures

- A. Initiation of Pursuit **41.2.2a**
 - 1. Pursuit of a suspect may be engaged whenever a reasonably prudent officer, under the same or similar circumstances, could reasonably believe, that the immediate need to apprehend the suspect outweighs a clear risk of harm to the public by initiating, continuing, or discontinuing the pursuit.
 - 2. Any Killeen police officer, in an authorized emergency vehicle, may initiate a vehicular pursuit for violent felonies where the suspect poses a significant threat to public safety: **41.2.2b**
 - a. Officers shall not initiate a vehicle pursuit for any Class C offense, or any other misdemeanor offense that does not pose an immediate credible threat to the safety of citizens or officers;
 - b. Officers shall not initiate a vehicle pursuit when the identity of the suspect is known and there is no immediate threat to the safety of citizens or officers.
 - c. Supervisors shall retain the authority to override these guidelines if in their judgement there is an immediate need to take the suspect into custody without delay.
 - 3. In addition to the above, the pursuing officer shall consider the following factors in determining whether to initiate pursuit: **41.2.2b**
 - a. The performance capabilities of the pursuit vehicle;
 - b. The condition of the road surface upon which the pursuit is being conducted;
 - c. The amount of vehicular and pedestrian traffic in the area;

- d. Weather conditions; and
 - e. The nature and seriousness of the criminal offense or traffic violation giving rise to the attempt to stop.
- B. Pursuit Officer Responsibilities **41.2.2c**
- 1. The pursuing officer shall immediately notify communications personnel by radio broadcast that a pursuit is underway. The primary or in some instances the secondary officer shall provide communications personnel with the following information:
 - a. Unit identification;
 - b. Location, speed and direction of travel of the fleeing vehicle;
 - c. Description and license plate number, if known, of the fleeing vehicle;
 - d. Number of occupants in the fleeing vehicle, and descriptions, where possible; and
 - e. Offense(s) for which the suspect is being pursued
 - 2. Failure to provide this information to communications personnel may result in an immediate decision by a field supervisor to order termination of the pursuit.
 - 3. The primary pursuit unit shall reduce the level of pursuit to that of support or backup unit when another unit is assigned primary pursuit responsibility for any reason.
 - 4. Any primary or backup unit sustaining damage to or failure of, essential or emergency vehicular equipment during pursuit shall not continue in the pursuit. The unit shall immediately notify communications personnel.
- C. Secondary Unit Responsibilities **41.2.2d**
- 1. The secondary unit is defined as the second vehicle, or back up unit, involved in the pursuit and is the primary back up officer to the pursuit-initiating officer.
 - 2. The backup officer responding to the pursuit will become the secondary pursuit vehicle. The backup officer will notify the dispatcher of their unit designation, current location, and estimated time of arrival.
 - 3. The secondary pursuit vehicle will assume the responsibility for radio communications upon joining the pursuit.
- D. Bell County Communications Center has agreed to the following protocol **41.2.2f**
- 1. Upon notification that a pursuit is in progress, Bell County Communications Center dispatcher shall immediately confirm that a field supervisor is aware of the pursuit and the initial information surrounding the pursuit circumstances.
 - 2. During the pursuit, the BCCC dispatcher will be responsible for:
 - a. Receiving and recording all incoming information about the pursuit and the pursued vehicle;
 - b. Controlling radio communications and maintaining clear the radio channels from non-emergency calls;
 - c. Obtaining criminal record and vehicle checks of the suspect information as received;
 - d. Coordinating and dispatching assistance units under the direction of the field supervisor; and
 - e. Notifying neighboring jurisdictions, where practical, when pursuit may extend into other jurisdictions.
- E. Field Supervisor Responsibilities **41.2.2g**
- 1. Upon notification that a vehicular pursuit is in progress, the field supervisor shall make a radio broadcast identifying himself as the supervisor assuming control of the pursuit. Their responsibility includes monitoring and controlling the pursuit as it progresses.
 - 2. Unless already aware, the field supervisor shall immediately contact the pursuit-initiating officer or BCCC to determine the following information:
 - a. Unit Identification;
 - b. Offense(s) for which the suspect is wanted;
 - c. Location, speed and direction of travel of the fleeing vehicle;
 - d. Number of occupants in the fleeing vehicle
 - 3. The field supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.

4. In controlling the pursuit incident, the field supervisor shall be responsible for coordination of the pursuit as follows: **41.2.3d**
 - a. Direct pursuit vehicles into or out of the pursuit
 - b. Re-designation of primary, support or other backup vehicle responsibilities
 - c. Approval or disapproval to leave jurisdiction to continue pursuit
 - d. Approval or disapproval for the deployment of tire deflation devices and roadblocks
 5. The field supervisor may approve and assign additional vehicles to assist the pursuit vehicles based on an analysis of:
 - a. The nature of the offense that initiated the pursuit,
 - b. The number of suspects and any known propensity for violence,
 - c. The number of officers in the pursuit vehicles,
 - d. Any damage or injuries to the assigned primary and backup vehicle or officers,
 - e. The number of officers necessary to make an arrest at the conclusion of the pursuit, and
 - f. Any other clear and articulated facts that would warrant the increased hazards caused by an increased number of pursuit vehicles.
 6. The supervisor will respond to the scene of the termination of all pursuits unless there are extenuating circumstances that would prohibit their immediate response.
- F. **Traffic Regulations During Pursuit**
1. Each unit authorized to engage in vehicular pursuit shall be required to activate all emergency equipment prior to beginning pursuit.
 2. Officers engaged in pursuit shall, at all times, drive in a manner exercising due care and caution for the safety of themselves and all other persons and property within the pursuit area.
 3. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used, and the maneuver is reasonably necessary to gain control of the suspect.
- G. **Pursuit Tactics**
1. Unless expressly authorized by a field supervisor (as stated above), pursuits shall be limited to one primary unit and one secondary unit or backup vehicle. Officers are not permitted to join the pursuit team or follow the pursuit on parallel streets unless expressly authorized by the field supervisor directing the pursuit. This does not preclude the use of additional units at interception points. The intercept unit shall not enter the pursuit unless by orders of the ranking uniformed supervisor available at the time of the pursuit.
 2. Pursuing units shall stay as close behind the fleeing vehicle as safety will allow. Officers may not intentionally use their vehicle to bump or ram the suspect's vehicle, nor shall shots be fired at a fleeing vehicle unless an occupant of the vehicle has used, or is using or attempting to use, deadly force on an officer or other persons, and return fire by officers would not present a danger to innocent bystanders. **41.2.3a**
 3. Authorized emergency vehicles transporting civilian passengers or prisoners shall not engage in pursuits. This rule does not include departmental employees. **41.2.3a**
- H. **Termination of Pursuit** **41.2.2h,i**
1. A decision to terminate pursuit may be the most rational means of preserving the lives and property of both the public and the officers and suspects engaged in pursuit. Pursuit may be terminated at any time by the pursuing officer, the field supervisor or higher chain of command of the department. If the pursuing officer decides it is necessary to terminate the pursuit for any reason listed in section 3 below, a field supervisor or higher commanding officer may order continuation of the authorized pursuit if exceptional circumstances exist that would indicate the failure of apprehending the suspect poses a greater risk to officers or the public in the future.
 2. Officers ordered to discontinue pursuit shall do so immediately, regardless of the nature of the offense.

3. A pursuit shall be immediately terminated in any of the following circumstances, as determined by the pursuing officer, field supervisor in charge of the pursuit or higher commanding officer:
 - a. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect;
 - b. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile;
 - c. The danger posed by continued pursuit to the public, the officers, or the suspect is greater than the value of apprehending the suspect;
 - d. The pursuing officer is able to establish the identity of the fleeing suspect and termination of the pursuit would not pose a greater threat to public safety than the delayed apprehension of the suspect;
 - e. The fleeing suspect drives in a direction opposite to the flow of traffic on a divided highway.
 4. The pursuing officer shall relay this information to communications personnel, along with any further information acquired, which may assist in an arrest at a later date.
 5. File a report explaining the pursuit circumstance and reasons for termination.
 6. In cases where the termination of the pursuit results in the immediate apprehension of the suspect, the pursuit-initiating officer or any other officers having substantial direct involvement in the pursuit shall not, whenever possible, have first contact with the suspect. Backup or support units will be responsible for initially approaching the suspect, and for the suspect's physical restraint and custodial arrest, in order to avoid the effects of post-pursuit syndrome in the pursuing officer.
- I. **Inter-jurisdictional Pursuits** **41.2.2j**
1. The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction.
 2. The unit originating the pursuit, one additional unit and a supervisor, as designated by the supervisor in charge of the pursuit, shall be the only Killeen Police Department units involved in the actual pursuit itself once it leaves the city limits. Coordination with other agencies will be accomplished through communications personnel unless unit to unit contact is possible. The pursuit shall be terminated if radio communication cannot be maintained. The supervisor in charge of the pursuit may, when legitimate circumstances dictate, authorize more than two units to continue the pursuit. The supervisor must assure that adequate units are available for calls in the City of Killeen when units are engaged in out-of-city pursuits.
 3. In the case where a pursuit originates in another jurisdiction by another agency, and enters the City of Killeen, the communications personnel shall coordinate with the incoming agency unit. Once authorized by a supervisor, Killeen Police Department units may, while the pursuit remains within the city limits, assist the other agency's units as needed. If the initiating agency discontinues the pursuit, Killeen units will also disengage unless specifically authorized to continue by the supervisor. All other rules governing pursuits shall be followed, to include any determination to continue the pursuit outside of our jurisdiction.

.05 Use of Tire Deflation Devices

- A. The only tire deflation device authorized for use by the Killeen Police Department is the *Stop Stick* manufactured by *StopTech, Ltd.* **41.2.3b**
- B. Tire deflation devices are authorized for use or deployment only under the following circumstances: **41.2.3a,b**
 1. Critical Incidents – Hostage-takers and barricaded persons generally will not be allowed to become mobile or leave the incident scene, the Incident Commander may consider deploying physical blockades of roads or the use of tire-deflation devices to hinder attempts to flee.
 2. Vehicle Pursuits – The primary purpose for deployment of the tire deflation device is the safe ending of vehicle pursuits, while placing paramount importance on the safety

- of officers, the public and the suspects. Tire deflation devices may only be deployed after the field supervisor directing the pursuit has granted authorization.
- C. *Stop Sticks* are to be used only on passenger cars and trucks or commercial vehicles. Under no circumstances will they be deployed on vehicles having less than four road wheels. **41.2.3b**
- D. Deployment of *Stop Sticks*: **41.2.3b**
1. No officer may deploy the *Stop Stick* unless the following criteria are met:
 - a. The officer has completed mandatory training (see General Order A308) as established by the manufacturer, in the recommended method of use for the *Stop Stick*. **41.2.3 c**
 - b. The pursuing officers have been made aware of, and acknowledge that the device is being deployed. The broadcast will include the location and any other pertinent information available.
 2. *Stop-Stick* deployment will comply with training protocol. Specific points of consideration include but are not limited to:
 - a. Vehicle placement prior to deploying the device.
 - b. Officer positioning to ensure the safest deployment method and provide the greatest protection for the officer deploying.
 3. Once deployed, the officer shall stay with the deployed device and will not return to other duties until the device is safely recovered and stored. The officer will not resume or participate in the pursuit unless directed to do so by the supervisor monitoring the pursuit.
 4. If the pursued vehicle strikes the *Stop Sticks*, the deploying officer shall:
 - a. Complete the *Stop Stick, Ltd.* "Pursuit Reporting Form" online at <http://www.stopstick.com/home/pursuit-reporting>.
 - b. Print and attach a copy of the form to the officer's supplement. **41.2.3 e**
 - c. *Stop Stick* Disposal
 - (i) Turn in the used *Stop Stick* to the Technology Unit for disposal.
 - (ii) If the pursued vehicle struck the device and subsequently crashed, causing serious bodily injury or death, the deploying officer shall enter the *Stop Stick* into the Evidence and Property Unit as evidence.
 - (iii) If a unique situation occurs, a supervisor may authorize a *Stop Stick* to be placed into evidence until determined if it is of evidentiary value.
 5. Supervisors shall review each use of the *stop sticks* to determine adherence with training protocol and the requirements of this policy and ensure the data is reported to the watch lieutenant for inclusion in the AIMS report. **41.2.3 d,e**

.06 Pursuit Reporting**41.2.2k**

- A. Pursuit reporting identifies trends, improves training and officer safety, and provides timely information for the department.
- B. The Pursuit Reporting form and database is available in the AIMS program.
1. Access is by password only; authorization can be obtained through the Internal Affairs Unit.
 2. The lieutenant filing the Pursuit Report is responsible for the secondary review and data entry by creating the report.
 3. Entry into the data file is accomplished by logging in to AIMS, selecting "Incident Reporting" and choosing the pursuit module.
- C. A Pursuit Report is required anytime an officer actively engages in a vehicular pursuit directly or as an act to render assistance to another agency engaged a pursuit.
- D. When a vehicular pursuit (as defined by this policy) is engaged upon by an employee of this agency, it will be documented in the Pursuit Report form and an offense report.
1. The report will identify the primary and support officers involved in the actual pursuit, the duration and route of the pursuit, how the pursuit was terminated, whether an accident resulted, whether any employee or citizen was injured, and whether medical treatment was administered before or after incarceration.

2. If no arrests are made, a Pursuit Report form will be completed and documented therein.
 3. An offense report with the appropriate offense title will be completed indicating the details of the pursuit. Officers involved in the pursuit, and the supervisor directing the pursuit, will file a supplement report detailing their actions and observations while involved in the pursuit incident.
- E. If injuries occur during or as the result of a pursuit and the injuries require medical treatment, the on-duty supervisor will be immediately notified. The on-duty supervisor will be responsible for ensuring the following:
1. Citizen Injuries
 - a. Immediate medical attention will be sought;
 - b. If possible, photographs of the injury will be taken and made part of the report.
 2. Employee injuries:
 - a. Immediate medical attention will be sought;
 - b. The employee's immediate supervisor will be notified;
 - c. Photos of the injuries will be taken and made a part of the report.
 - d. Whenever an employee of this department is injured or killed, his residence address and telephone number will not be filled in on the incident report.
 3. Notifications per department policy will be made.
 4. Each employee with knowledge of the incident will write a supplement.
- F. All Pursuit reports will be entered in the AIMS database and an RMS link or e-mail notification will be sent to the Internal Affairs Unit.
- G. Medical Treatment – Any time an officer is involved in a pursuit, and it results in obvious bodily injury or an apparent injury that would require medical attention, the officer will either request EMS to treat the person, or will transport the person to an appropriate medical facility for treatment.
- H. Review Process: **41.2.2k**
1. The supervisor in charge of the pursuit is responsible for the initial review of each pursuit (including a vehicle inspection) and subsequent report.
 2. The supervising lieutenant is responsible for the secondary review of all pursuits (including the video) conducted by his personnel; he will enter the pursuit into the AIMS database.
 3. The responsible Division Commander will conduct a tertiary review the incident and compile a Pursuit Packet. The packet will contain copies of all reports, any related documents as well as copies of any pertinent media to include both video and audio recordings, and it will be forwarded to the Internal Affairs unit where it will be retained for an minimum of three years from the date of the incident. The Pursuit Packet will be maintained separately from disciplinary files.
 4. The Internal Affairs Unit is responsible for an Annual Analysis of the department's pursuit policy, reporting procedures and pursuit data. The intent of the documented analysis is to determine whether there are policy, training, equipment, or discipline issues, which should be addressed. The report will be submitted to the Chief of Police for approval during the first quarter of each calendar year. **41.2.2l**

.07 Report Protection

The Pursuit Report data is not part of an officer's personnel file and is not protected from disclosure on that basis. However, the information may be protected from disclosure for other reasons such as pending litigation or entries related to juvenile subjects, mental illness or attempted suicide. Appropriate reasons for nondisclosure will be asserted in response to open record requests and subpoenas. Purely statistical information derived from the data that do not contain information identifying any of the participants may also be considered public information.

.08 Pursuit Policy Training

- A. All police officers will receive initial pursuit policy training during the Killeen Basic Peace Officer Course and/or during the Field Training Program (lateral hires). **41.2.2m**
- B. All police officers will review the department's pursuit policy at least annually. **41.2.2n**

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